

UNITED STATES OF AMERICA
 NATIONAL TRANSPORTATION SAFETY BOARD
 OFFICE OF ADMINISTRATIVE LAW JUDGES

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Investigation of:

MV ETHAN ALLEN,
 LAKE GEORGE, NEW YORK,
 OCTOBER 2, 2005

Docket No.: DCA 06 MM 001

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Interview of: JEAN SILER

National Transportation Safety Board
 490 L'Enfant Plaza East, S.W.
 Washington, D.C. 20594

Wednesday,
 October 5, 2005

The above-captioned matter convened, pursuant to
 notice, at 8:45 a.m.

BEFORE: MARIETTE BURER

APPEARANCES:

MARIETTE BURER

National Transportation Safety Board

PAT BARNES

National Transportation Safety Board

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I N T E R V I E W

(8:45 a.m.)

MS. BURER: Okay, my name is Mariette Burer, with the National Transportation Safety Board. Today is Wednesday, October 5, 2005, and it's quarter till 9:00. I'm sitting here with --

MS. SILER: Jean Siler.

MS. BURER: And --

MS. BARNES: Pat Barnes, National Transportation Safety Board.

INTERVIEW OF JEAN SILER

BY MS. BURER:

Q. Okay, Ms. Siler, could you tell me what happened on Sunday.

A. We had been on a kind of color tour and were headed back towards Michigan. This was part of our itinerary, to stop at Lake George. We got in just a little bit early and we had lunch in town. And then we walked down to the wharf for a scheduled boat trip that was supposed to go at 3 o'clock. We got down there early. And after we were standing on the wharf -- on the dock, one of the employees of the company -- I don't know who he was -- said, you know, "When you folks are ready, we're ready to go," which would have put us out early. And we did. We left at about 2:30 in the afternoon. It was a gorgeous day, just absolutely a gorgeous day.

1 And we stood on the dock, and I watched as some of
2 the people got on the boat. And they were sitting -- it would
3 be on my -- like my left -- on the boat, and that was the sunny
4 side. And I think they sat on that side because they figured
5 it would be cool on the lake and they would have the sun. And
6 then there wasn't anybody sitting on the other side, and the
7 boat was listing way down in the water. But I said, okay,
8 well, there's no one on the other side to lend it any balance.

9 So we got on the boat and -- I don't know if it was
10 two or three of our people chose not to go. And as they were
11 walking down the dock they hollered back and said, "Well, it's
12 okay. They haven't got anymore room for us, but we're going to
13 go shopping anyway." So we figured, all right, they would do
14 that. But I heard someone on the boat say, "Well, we can make
15 room for you." But it was crowded. I was sitting in the bow
16 of the boat. I was sitting on the bow of the boat on the right
17 side. The lady that I was traveling with was sitting on my
18 left. I was in the first seat going forward at the point of
19 the bow, and there were two seats diagonally on each side of
20 the bow and one straight seat.

21 Q. Okay. I have a map right here. So once -- I want
22 you to continue on talking.

23 A. Okay.

24 Q. Is it here on the -- they're two-seaters.

25 A. Mine was a two-seater. That's correct.

1 Q. Okay, and you were on the first?

2 A. I was next to the window.

3 Q. Next to -- and you were sitting right here on the
4 first bench?

5 A. On the first one. And my partner was sitting next to
6 me.

7 Q. And is she -- he or she?

8 A. She. It was Lucille O'Brien.

9 Q. Okay. Okay, go ahead.

10 A. We headed out into the water. Everything was so
11 beautiful, and the captain was pointing out the various houses
12 with some historical significance. We were talking to a lady
13 that was sitting in front of us on one of these side seats
14 here --

15 Q. Okay.

16 A. -- who was from the same town as Lucille. And they
17 were exchanging notes as to people they knew in common. So I
18 wasn't paying a lot of attention to what the tour director was
19 saying. But I did note that we turned into a wave. I never
20 saw any boat that close to us. There were other boats on the
21 water, yes. It was such a beautiful day that I'm sure the
22 private boaters took advantage of the weather to be out on the
23 lake. But he turned into the wake. And when he turned into
24 the wake, I saw water come up into the cabin. And for reasons
25 I don't understand, I stood up. At that point I -- I'm not

1 sure if I fell into the water or I jumped. I think I may have
2 jumped, because I was feet down, went straight down in the
3 water, touched something in the water. I thought I touched
4 bottom, but they told me it's 70 foot deep. So I may not have
5 gone down that far. I touched something in the water.
6 Immediately I -- I was holding my breath. I think I started
7 holding my breath as soon as I hit the water. And I started to
8 kick and put my hands straight up in the air so I would go
9 straight up. I came out of the water and took a deep, deep
10 breath. And I swam away from the boat, because I expected the
11 boat was going to turn again.

12 This -- I have had some safety training, water safety
13 training, but let's say for the sake of argument 25 years ago.
14 It was a long time ago. And I've been around the water all my
15 life. Boats are not foreign to me at all. I love the water
16 and I love the boats. But then I said the boat seemed to be
17 settled there, so I grabbed onto the edge of the boat along
18 with some of the others. One of the women there was screaming
19 hysterically. She could not swim. And so I hollered at her to
20 just hang on. And I said, "Try to stop screaming because
21 you're panicking everybody." And she continued to scream. And
22 at that point I felt movement with the boat, and I said, "I've
23 got to get out of here." There was a rescue boat off to my
24 left, and I swam towards that rescue boat. And the lady --
25 they threw me a life preserver, and I could only get one arm

1 into it. And then the lady threw me a rope. And the first
2 rope I missed, but she threw me a second rope, and I grabbed
3 the second rope and then swam toward her boat. And she rescued
4 me and got me out of the water.

5 I hung on to this thing all the way. I don't know
6 why. I swam with this thing on my arm. I don't know why. I
7 don't know how, but I did. It was soaking wet. I dried it out
8 in the hospital.

9 MS. BURER: Ms. Siler is holding onto her purse.
10 That's the thing that she's referring to.

11 BY MS. BURER:

12 Q. When you were sitting with your friend, it's the
13 first bench, two-seater. Was the window next to you open or
14 closed?

15 A. It was open, yes. That was part of the reason I
16 chose that seat, because I love the fresh air and those windows
17 were open. And it was the kind of day where you could really
18 enjoy the fresh air.

19 Q. Okay. And then you were talking about water. You
20 saw water in the cabin.

21 A. I saw water coming up, right over into this part of
22 the boat.

23 Q. Okay, so this is where that little bench was?

24 A. There was a bench coming around here and when I
25 glanced over the water it was sort of coming up to this side.

1 And it was up to here to like where the aisle might be.

2 Q. Okay.

3 A. When I saw it.

4 Q. So that's the bench where the children's life
5 preserves are in. That's the bench that she's pointing at.

6 And then in the -- next to the three-seaters --

7 A. Those were three-seaters on that side, yes.

8 Q. Right, okay. When -- the captain, did he have a
9 safety briefing at all?

10 A. No, no.

11 Q. Okay, and what was his demeanor when -- through the
12 whole trip?

13 A. Pleasant.

14 Q. Okay.

15 A. Knowledgeable. He talked about the historical
16 significance of some of the homes along the way. He was
17 jovial.

18 Q. Did you notice any kind of life preservers around you
19 at all?

20 A. I noticed the life preservers for the children, but I
21 did not truthfully notice any for adults. And we would not
22 have had any time to put life preservers on at all.

23 Q. Okay. And also, as far as the seating is concerned,
24 did you feel it was adequate seating or did you -- was it
25 adequate seating?

1 A. It was just kind of a typical tourist boat, not
2 unusual for that type of boat at all.

3 Q. Right.

4 A. And I don't know why I stood up. Because when I saw
5 the water coming up through here I stood up, and I think I may
6 have moved out to this area. Because I went off this side.

7 Q. Right.

8 A. I went off to the left, because I did not go off to
9 the right.

10 Q. Right. Okay, and then -- they need to stay back,
11 okay. As far as the actual window is concerned, when you were
12 sitting, how high up was the actual window opening?

13 A. I could put my elbow on like the sill.

14 Q. Yeah, that's what I was actually wondering about. So
15 it wasn't like --

16 A. No.

17 Q. Okay.

18 A. I could put my elbow on it, yes. In fact, I think I
19 had my elbow on it.

20 Q. Elbow on sill, okay. Okay, and then -- all of this
21 is being recorded.

22 A. Okay.

23 Q. That's okay. Did you notice anything at all with the
24 captain as far as a reaction to when the wake came?

25 A. No, nothing at all. When I reached the shore, after

1 I was rescued, I asked if they got the captain off, the
2 captain. And someone said yes.

3 Q. Okay.

4 A. And I said, "Is he okay?" and they said yes.

5 Q. Okay. When you actually entered into the boat, do
6 you remember if you had to go up or down, take a couple steps
7 up or a couple steps down?

8 A. We came from down here -- I think there was one short
9 step down and then the aisle.

10 MS. BURER: I'm finished for right now.

11 BY MS. BARNES:

12 Q. Okay, I have a couple of questions, and I apologize
13 for having to leave. One of the ladies was looking for some
14 items that she thought had been left in here. Could you please
15 show me on the -- where were you sitting?

16 A. I was sitting over here.

17 Q. Okay. And were you among the first aboard, then, or
18 maybe midway through the group or --

19 A. When I got on the ship, this side was full.

20 Q. Okay.

21 A. So these people had all entered before me. Because
22 as I was telling her, the boat was listing this way from all
23 these people that were on this side.

24 Q. Okay.

25 A. The sun was shining on that side. That's why they

1 sat on that side.

2 Q. Okay. And then the next question -- I'm sorry, I
3 completely missed this part of what you were explaining. Did
4 you describe the captain turning around or -- as far as --

5 A. I wasn't paying attention. I was having a
6 conversation with two other ladies that were sitting beside me,
7 the lady that was on this bench right here and my partner, who
8 was sitting right next to me. We were having a conversation.
9 And until -- I had not observed any boats around me, other than
10 there were some pleasure boats that we had gone past earlier,
11 like motorboats. But until I saw him turn into the wake, I was
12 not aware that -- because as soon as he turned into that wake,
13 water came into the cabin.

14 Q. Now was he turning to the right, to starboard?

15 A. Yes, yes, starboard, correct.

16 Q. Okay. And did you hear him operate the throttle at
17 one point?

18 A. I didn't hear anything from the captain at all, no.

19 Q. Okay. And then you probably have already said this,
20 you broke two ribs. Is that right?

21 A. No, I have two bones in my spine that are broken. I
22 have fluid in my lungs. I have a couple of bumps on my head.
23 But, I don't know, I guess that's the hardest part of my body
24 because they don't seem to be giving me much trouble.

25 Q. Right.

1 A. And then my finger was badly bruised. It's not
2 broken, but it's badly bruised and I can't get my ring off.

3 Q. Now do you -- I know things happened so fast, but do
4 you have any impression for how you sustained your injuries?

5 A. No, I truthfully do not, not at all. I don't recall
6 hitting anything. I think I may have injured this when I was
7 being rescued, the finger. Because I was holding onto the
8 large hook they used to put around the rope. I can't even
9 think of the name of that. I should know the name of it. But
10 I was holding onto that hook while she was helping another man,
11 who was in a little worse straits than I was. So she -- I held
12 while she helped him. And I may have hurt my finger at that
13 time.

14 Q. Right.

15 A. This ring may have come up and --

16 Q. Right.

17 A. But the rest of me, I don't know.

18 Q. Right.

19 A. When I went straight down, I hit something with my
20 feet, and I don't know what it was.

21 Q. Okay. Okay. Do you recall as people were loading on
22 the boat and it was filling up with people taking their
23 seats -- did the captain advise people where to sit or did he
24 advise anybody to move?

25 A. No, nothing that I heard. No.

1 MS. BARNES: Okay.

2 BY MS. BURER:

3 Q. This is Mariette again. Did you hear any kind of
4 strange noises at all, beeping or any of that kind of
5 mechanical noises?

6 A. No. You mean like when he turned into the wake? No.

7 Q. At any time during the trip?

8 A. No.

9 Q. Okay.

10 A. It did not appear that we were going very fast,
11 because we were able to enjoy the scenery and he was pointing
12 out these historical homes along the water. The last one that
13 I recall him doing a narrative on was the Singer home.

14 Q. That's the last narrative that he did?

15 A. I don't know if that's the last that he did. It's
16 the last that I heard. Because like I said, I wasn't paying a
17 lot of attention.

18 Q. Right.

19 A. Because I was having a conversation with these other
20 two ladies.

21 Q. Right. Can you describe the waters on the lake at
22 all?

23 A. Very calm, very beautiful.

24 Q. Okay. Okay.

25 A. And while everybody said the water was cold, I didn't

1 feel cold in the water. I was freezing when I got out of the
2 water.

3 Q. Right.

4 A. But while I was in the water I didn't feel -- it
5 would be the kind of water that I would enjoy swimming in if I
6 had elected to swim in that wake.

7 Q. Right. So when you saw the water coming in the
8 cabin, this area, that's when you stood up?

9 A. Yes.

10 Q. You're not really sure why you stood up, right?

11 A. No.

12 Q. Okay.

13 A. I don't know why I stood up. He turned into the wake
14 and I saw the water coming up from here. And I stood up. And
15 I don't know whether my thoughts were to keep my feet dry or
16 whether it was to do something else. I don't know why I stood
17 up.

18 Q. Okay.

19 A. Stupid reaction. But I know that I went off this
20 side. I did not go off this side.

21 MS. BARNES: That was a very good reaction.

22 MS. SILER: I don't know why. I don't know why I
23 stood up. And I really feel like I jumped rather than fell in
24 the water. Because I went straight down, feet down.

25 MS. BURER: Right.

1 MS. SILER: My head was up. I didn't have to turn my
2 body to come straight up. So that's why I feel like I jumped.

3 BY MS. BURER:

4 Q. So as soon as you stood up, how long thereafter did
5 you feel you jumped?

6 A. Oh, just like instants, seconds or something.

7 Q. Okay.

8 A. Because I knew we were in trouble as soon as I saw
9 that that was coming in. And I must have jumped through the
10 window, because there was no other way to go. These windows
11 were all open along this side.

12 Q. Okay. So never jumped with feet in, okay.

13 A. Yeah, if I had been thrown in, I would have had to
14 turn. I was conscious all the time. Never at any time did I
15 lose consciousness. And I would have had to turn and my feet
16 were down. My head was up. I looked around me and got my
17 bearings, held my breath, and headed straight up for air.

18 MS. BURER: Right. Okay. Go ahead, Pat.

19 BY MS. BARNES:

20 Q. This is Pat again. Were you -- did you notice anyone
21 standing up to take a picture before you stood up -- I mean,
22 stood up in the bow, I'm sorry.

23 A. There may have been some that were taking pictures,
24 but I didn't observe anyone during that -- I think we were all
25 kind of awed by the scenery. It was so pretty, you know.

1 MS. BURER: Right.

2 BY MS. BARNES:

3 Q. And then when things started to -- when you hit the
4 wake, were you -- I realize that you sat in the front of the
5 vessel, but were you aware as things began to tilt of the
6 people behind you being -- shifting or being thrown to the
7 other side of the boat?

8 A. No. Everything just happened so fast. You know, I
9 was standing up here, and the next thing I knew I was in the
10 water over here. It was just that instant.

11 MS. BARNES: Having missed about five minutes of
12 the -- I don't have anything else.

13 MS. BURER: Okay, I don't, either. Thank you very
14 much. Could you just acknowledge that this conversation has
15 been recorded?

16 MS. SILER: It has been recorded and I am aware of
17 it. Thank you.

18 MS. BURER: Thank you.

19 (Whereupon, the interview in the above-entitled
20 matter was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: Investigation of MV Ethan Allen
 Lake George, New York
 October 2, 2005
 Interview of Jean Siler

DOCKET NUMBER: DCA 06 MM 001

PLACE: Washington, D.C.

DATE: October 5, 2005

was held according to the record, and that this is the
original, complete, true and accurate transcript which has been
compared to the recording accomplished at the hearing.

Phyllis Jarvis
Transcriber